

REMARKS

Claims 1-17 are pending in the application.

Claims 1-17 are original.

Original Claims 1-17 are directed to compounds that are isophthalic acid derivatives, pharmaceutical compositions comprising the compounds, and methods of treating comprising administering the compounds. The claims have not been amended herein.

Election/Restriction under 35 U.S.C. § 121

The Examiner alleges that restriction under 35 U.S.C. § 121 is required for examination purposes. For convenience, Applicants incorporate by reference the invention Groups I and II listed in item 1. of the above-referenced Office Action.

Regarding items 1. to 5. of the above-referenced Office Action, Applicants hereby elect with traverse the invention of **Group II**, "Claims 1-17, drawn to a method for inhibiting matrix metalloproteinase enzymes in a mammal comprising administering to the mammal isophthalic acid derivatives containing heterocyclic groups or pharmaceutically acceptable salts thereof, classified in class 514, subclasses 183, 210.18, 227.8, 231.8, 252.11, 316, and 422; class 544, subclasses 357, 60, and 78; class 546, subclass 189; class 548, subclasses 518, 950, and 962."

Applicants respectfully request clarification regarding the invention of Groups I and II. From item 2. of the above-referenced Office Action, it is not clear to Applicants whether the phrase "side chain groups" refers to R^1-R^3 , A and B, or all of R^1-R^3 , A, and B in Formula I. Further, the side chain groups recited for Group I appear to be directed to acyclic groups, whereas the side chain groups recited for Group II appear to be directed to heterocyclic groups. The compounds of Formula I having side chains that contain carbocyclic groups (e.g., cycloalkyl

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or aryl groups) do not seem to be embraced by the description of Group I or II. Accordingly, Applicants respectfully request clarification of the invention of Groups I and II and ask that the Group that contains aryl or cycloalkyl groups for A or B and the Group that contains heteroaryl groups for A or B be identified in the next Office Action.

In view of the above-remarks, Applicants deem that a satisfactory response to the restriction requirement under 35 U.S.C. §121 has been made.

Benefit of Priority Under 35 U.S.C. § 119(e)

Applicants respectfully request acknowledgement of their claim for domestic priority under 35 U.S.C. § 119(e) from United States Provisional Patent Application number 60/268,736, filed February 14, 2001.

Applicants note to the Examiner that the Transmittal of a Patent Application under 37 C.F.R. 1.53(b) contained a request to insert their claim for domestic priority in the specification. Accordingly, Applicants have not amended the specification in this paper to insert a cross-reference to the related U.S. provisional application.

Supplemental Information Disclosure Statement

Applicants bring to the Examiner's attention the enclosed Supplemental Information Disclosure Statement on Form PTO-1449. The Examiner is respectfully requested to consider carefully the references cited therein in connection with the examination of the above-identified application in accord with 37 CFR §1.104(a). It is believed the Examiner will concur with Applicant's belief that the subject matter presently claimed is neither claimed in nor obvious from these references.

It is further respectfully requested that the references listed on the enclosed Form PTO-1449 be included in the "References Cited" portion of any patent issuing from this application (MPEP § 1302.12).

Conclusion

Applicants respectfully request consideration of all references cited in the instant application, examination of the invention of Claims 1-17 of Group II, and advancement of the application with the examined and patentable claims to allowance.

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to deposit account number 23-0455.

The undersigned would welcome a telephone call from the Examiner to discuss any matters related to this case that the Examiner thinks are amenable to resolution by such discussion.

Respectfully submitted,

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Claude F. Purchase, Jr.
Claude F. Purchase, Jr.
Reg. No. 47,871
Warner-Lambert Company LLC
2800 Plymouth Road
Ann Arbor, MI 48105
Tel. (734) 622-1692
Fax (734) 622-1553

Enc. (Form PTO-1449 and references cited therein)

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